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SUMMARY STATEMENT BY THE SECRETARY-GENERAL ON MATTERS OF WHICH THE SECURITY COUNCIL IS SEIZED AND ON THE STAGE REACHED IN THEIR CONSIDERATION

Addendum

Pursuant to rule 11 of the provisional rules of procedure of the Security Council, the Secretary-General is submitting the following summary statement.

The list of items of which the Security Council is seized is contained in documents S/25070 of 11 January 1993, S/25070/Add.4 of 4 February 1993, S/25070/Add.7 of 26 February 1993, S/25070/Add.8 of 8 March 1993, S/25070/Add.10 of 22 March 1993, S/25070/Add.13 of 13 April 1993, S/25070/Add.17 of 20 May 1993, S/25070/Add.19 of 3 June 1993, S/25070/Add.23 of 2 July 1993, S/25070/Add.24 of 6 July 1993, S/25070/Add.26 of 9 July 1993 and S/25070/Add.29 of 30 July 1993 and S/25070/Add.32 of 20 August 1993.

During the week ending 21 August 1993, the Security Council took action on the following items:

The situation relating to Nagorny Karabakh (see S/23370/Add.19, S/23370/Add.43, S/25070/Add.14, S/25070/Add.17 and S/25070/Add.30)

By a letter dated 17 August 1993 addressed to the President of the Security Council (S/26318), the Permanent Representative of Azerbaijan to the United Nations transmitted a letter from the Acting President of Azerbaijan to the President of the Security Council, in which he stated that sufficient time had elapsed since the adoption of Security Council resolutions 822 (1993) and 853 (1993) and that the "aggressor" was continuing to seize and burn peaceful Azerbaijani villages in the Fizuli district, conducting a massed offensive against the town of Fizuli, expanding offensives deep into Azerbaijani territory - towards Djebrail and Kubatly - and was attempting to take the town of Barda and other inhabited areas. He requested that the Security Council be convened immediately to take effective and urgent measures to halt the aggressor, stop the bloodshed and protect hundreds of thousands of defenceless peaceful inhabitants of the Azerbaijani Republic.

In a letter dated 17 August 1993 (S/26319) addressed to the President of the Security Council, the Permanent Representative of Turkey to the United Nations requested, in the light of "the continued blatant violations of

international law and the Charter of the United Nations, together with Security Council resolutions 822 (1993) and 853 (1993) by Armenia", that the Security Council convene urgently in order to take effective enforcement measures to stop "the Armenian aggression against the Azerbaijani Republic" and secure the immediate, complete and unconditional withdrawal of Armenian forces from all occupied Azerbaijani territories.

In a letter dated 18 August 1993 addressed to the President of the Security Council (S/26322), the Permanent Representative of Armenia to the United Nations requested an urgent meeting of the Security Council to assess the most recent evidence of Azerbaijani aggression against Armenia and to condemn Azerbaijan's continuing policy of expanding its war against Nagorny Karabakh to the borders of Armenia. The Government of Armenia requested that the Security Council and the international community manifest the appropriate reaction to those latest violations of international law and Security Council resolutions 822 (1993) and 853 (1993) by condemning unequivocally the authorities of Azerbaijan.

The Security Council resumed its consideration of the item at its 3264th meeting, held on 18 August 1993, in response to the above requests.

The President, with the consent of the Council, invited the representative of Azerbaijan, at his request, to participate in the discussion without the right to vote.

The President of the Security Council stated that, following consultations of the Security Council, he had been authorized to make the following statement on behalf of the Council (S/26326):

> "The Security Council expresses its serious concern at the deterioration of relations between the Republic of Armenia and the Azerbaijani Republic and at the tensions between them. The Council calls upon the Government of the Republic of Armenia to use its influence to achieve compliance by the Armenians of the Nagorny-Karabakh region of the Azerbaijani Republic with its resolutions 822 (1993) and 853 (1993).
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> "The Council also expresses its deep concern at the recent intensification of fighting in the area of Fizuli. The Council condemns the attack on the Fizuli region from the Nagorny-Karabakh region of the Azerbaijani Republic, just as it has previously condemned the invasion and seizure of the districts of Kelbadjar and Agdam of the Azerbaijani Republic. The Council demands a stop to all attacks and an immediate cessation of the hostilities and bombardments, which endanger peace and security in the region, and an immediate, complete and unconditional withdrawal of occupying forces from the area of Fizuli, and from the districts of Kelbadjar and Agdam and other recently occupied areas of the Azerbaijani Republic. The Council calls upon the Government of the Republic of Armenia to use its unique influence to this end.
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> "The Council reaffirms the sovereignty and territorial integrity of the Azerbaijani Republic and of all other States in the region and the inviolability of their borders, and expresses its grave concern at the effect these hostilities have had on the efforts of the Minsk Group of the Conference on Security and Cooperation in Europe (CSCE) to achieve a

peaceful solution to the conflict. The Council stresses its full support of the CSCE peace process, and notes particularly the opportunity that the current round of Minsk Group talks have afforded the parties to the conflict to present their views directly. In this context, the Council calls upon all of the parties to respond positively and within the agreed time-frame to the 13 August adjusted version of the Minsk Group's 'Timetable of urgent steps to implement United Nations Security Council resolutions 822 (1993) and 853 (1993)' and to refrain from any actions that would obstruct a peaceful solution. The Council welcomes the intention of the CSCE to send a mission to the region to report on all aspects of the situation.

"In the light of this most recent escalation of the conflict, the Council strongly reaffirms its call in resolution 853 (1993) for States to refrain from supplying any weapons and munitions which might lead to an intensification of the conflict or the continued occupation of territory of the Azerbaijani Republic. The Council calls upon the Government of the Republic of Armenia to ensure that the forces involved are not provided with the means to extend their military campaign still further.

"The Council also renews its calls in resolutions 822 (1993) and 853 (1993) for unimpeded access for international humanitarian relief efforts in the region, in all areas affected by the conflict, in order to alleviate the continually increasing suffering of the civilian population. The Council reminds the parties that they are bound by and must adhere to the principles and rules of international humanitarian law.

"The Security Council will remain actively seized of the matter and will be ready to consider appropriate steps to ensure that all parties fully respect and comply with its resolutions."

Establishment of an international tribunal for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia (see S/23370/Add.32, S/23370/Add.40, S/25070/Add.8 and S/25070/Add.21; see also S/22110/Add.38, S/22110/Add.47, S/22110/Add.50, S/23370/Add.1, S/23370/Add.5, S/23370/Add.7, S/23370/Add.14, S/23370/Add.16, S/23370/Add.19, S/23370/Add.21, S/23370/Add.23, S/23370/Add.24, S/23370/Add.26, S/23370/Add.28, S/23370/Add.29, S/23370/Add.31, S/23370/Add.32, S/23370/Add.35, S/23370/Add.36, S/23370/Add.37, S/23370/Add.40, S/23370/Add.43, S/23370/Add.45, S/23370/Add.46, S/23370/Add.49, S/23370/Add.50, S/25070/Add.1, S/25070/Add.4 and S/25070/Add.7)

The Security Council resumed its consideration of the item at its 3265th meeting, held on 20 August 1993, in accordance with the understanding reached in its prior consultations.

The President drew attention to the text of a draft resolution (S/26331) that had been prepared in the course of the Council's prior consultations.

The Security Council then proceeded to vote on draft resolution S/26331 and adopted it unanimously as resolution 857 (1993).

Resolution 857 (1993) reads as follows:

The Security Council,

Recalling its resolutions 808 (1993) of 22 February 1993 and 827 (1993) of 25 May 1993,

Having decided to consider the nominations for Judges of the International Tribunal received by the Secretary-General before 16 August 1993,

Establishes the following list of candidates in accordance with Article 13 of the Statute of the International Tribunal:

Mr. Georges Michel ABI-SAAB (Egypt)
Mr. Julio A. BARBERIS (Argentina)
Mr. Raphaël BARRAS (Switzerland)
Mr. Sikhe CAMARA (Guinea)
Mr. Antonio CASSESE (Italy)
Mr. Hans Axel Valdemar CORELL (Sweden)
Mr. Jules DESCHENES (Canada)
Mr. Alfonso DE LOS HEROS (Peru)
Mr. Jerzy JASINSKI (Poland)
Mr. Heike JUNG (Germany)
Mr. Adolphus Godwin KARIBI-WHYTE (Nigeria)
Mr. Valentin G. KISILEV (Russian Federation)
Mr. Germain LE FOYER DE COSTIL (France)
Mr. LI Haopei (China)
Ms. Gabrielle Kirk McDONALD (United States of America)
Mr. Amadou N'DIAYE (Mali)
Mr. Daniel David Ntanda NSEREKO (Uganda)
Ms. Elizabeth ODIO BENITO (Costa Rica)
Mr. Hüseyin PAZARCI (Turkey)
Mr. Moragodage Christopher Walter PINTO (Sri Lanka)
Mr. Rustam S. SIDHWA (Pakistan)
Sir Ninian STEPHEN (Australia)
Mr. Lal Chan VOHRAH (Malaysia)